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**CONFERENCE REPORT ON H.R. 4818, CONSOLIDATED APPROPRIATIONS ACT, 2005**

**HON. DAVID R. OBEY**

**OF WISCONSIN**

**IN THE HOUSE OF REPRESENTATIVES**

**November 20, 2004**

Mr. Speaker, this is a sad bill. There are countless good reasons to vote against it. In fact, this bill is a poster child for institutional failure. That is true for several reasons. First of all, because the nine appropriation bills which are wrapped into this early Thanksgiving turkey should have been dealt with by the House months ago.

Secondly, it is totally inadequate to meet the Nation's needs in education, health care, and the environment. It falls so far short from meeting our investment obligations for the future that it could only be brought to the floor by the majority party after the election.

Third, there are things that have been added in this omnibus bill which have never been voted on by anybody. Some of them are reasonable; some of them certainly are not. An example, Republicans chose to take this opportunity to slip a number of anti-environmental provisions into this bill which I will list in full in my extended remarks.

Fourth, the Republicans have taken out several provisions that were supported by the majority of this body and should have been retained. I will again expand more fully on them in my extended remarks, but those provisions include eliminating the contracting-out provision, the bipartisan Chabot-Andrews amendment prohibiting road building in the Tongass National Forest, provisions to ease the economic embargo on Cuba, the Sanders cash-balance pension plan amendment, the MILC reauthorization bill which the President twice claimed to favor, and they also stripped out the language which would have protected 6 million workers from being chiseled on their overtime rights.

Another troubling feature of this bill is that it misleads people into thinking that funding for the programs in this bill is more generous than it actually is because it applies an across-the-board cut to the accounts in this bill, but it does not show the impact of those cuts on individual programs.

I have often quoted my friend Archie the cockroach and I am moved to do so once more in commenting on this action by the committee. Archie said once that “œman always fails because he is not honest enough to succeed. There are not enough men continuously on the square with themselves and with other men. The system of government does not matter so much; the thing that matters is what men do with any kind of system they happen to have.”

The problem we have today is there are all kinds of papers floating around this floor that profess to describe what is the funding provided for each of the programs provided in this bill, but they significantly overstate the amount of money in those accounts because the effect of the across-the-board cut is not counted.

I would also say that this bill is not here in a lame duck session because of any delaying action by the minority party. The record shows that the minority party has procedurally cooperated with the majority to bring all these bills to the floor. Of the 12 appropriation bills brought to the floor before the election, eight were expedited by unanimous consent agreements from the minority; four of the bills not considered under unanimous consent agreement were completed in a single day while the Labor-Health-Education bill took only two days.

Despite that procedural cooperation, even though they control both Houses of Congress and the White House, Republicans could not enact these bills. Why? Well, it was not because the majority party could not compromise with the minority; it was because the majority party could not compromise with itself. Why was that? Because rank-and-file members of the majority party, especially in the Senate, did not want to act on these bills with inadequate funding for education, health, science and environmental protection until they were safely past the election.

This bill shows some examples. This bill slashes funding for the EPA by \$335 million. The biggest cut, \$259 million, comes from the Clean Water State Revolving Fund, even though surveys have shown that we will confront a \$388 billion investment deficit in that program alone over the next 20 years.

This Congress just finished doubling the NIH budget over the past 5 years, but NIH in the long run is heavily dependent upon basic initial research done by agencies like the National Science Foundation. Congress is on record supporting the need to double NSF funding, and yet the bill cuts funding for the NSF by \$107 million below last year. This is the most Luddite provision in the bill.

Support for housing and community development block grant funding is so pitiful I cannot even talk about it. One of the most reckless actions is a \$332 million cut to the FAA after the bill's across-the-board cut is taken into account. FAA will lose staff, including safety inspectors and air traffic controllers, and forgo needed safety technology improvements, all at a time when clogged and overcrowded airways make the skies dangerous.

But perhaps the most serious neglect of our responsibilities is reflected in what this bill does on education. Unbelievably, it cuts the President's request for title I education funding, the prime mover of education reform, by \$607 million, almost 50 percent. It falls \$482 million below the President's request for special education. It cuts funding for after-school programs by \$25 million below the request and below last year's level, denying 1.3 million kids the educational opportunities they were promised in No Child Left Behind.

Flu vaccine. This Congress has still managed once again to cut the President's request for flu vaccine, by a small amount admittedly, but it is still \$800,000 below the President's request.

On low-income heating assistance, despite the fact that the increased costs are expected to be 28 percent for home heating oil this year, this bill provides only half that increase in funding. That means a real reduction in assistance provided to the most vulnerable people in our society.

Let there be no doubt that if Democrats were running this place, this bill would look far different. In June, we had a vote on a bill that detailed our Democratic priorities, H. Res. 685. If that bill were before us today, we would be providing an additional \$3 billion for homeland security, police, fire and emergency services, an additional \$5.7 billion to strengthen education, an additional \$2.3 billion to fully fund veterans health care and improve housing for military families and an additional \$1.3 billion to improve health care by expanding community health centers, rural health clinics, mental and child health programs.

If today we were voting on the Democratic priority package rather than this bill, we would be providing \$1.5 billion more for title I, serving an additional 500,000 low-income children so that they can meet the high standards of No Child Left Behind; we would be providing \$1.2 billion more to serve the special education needs of 6.9 million children with disabilities; and we would be providing \$2.2 billion more for Pell grants, increasing the maximum Pell grant to \$4,500.

Based on the debate yesterday on the debt ceiling and on the majority leader's comments just a few moments ago, I know that some people on the other side of the aisle would claim that the Democrats' proposals to increase these investments in education, health, science and the environment would add to the deficit, but that is simply not the case.

If the Democrats' priority plan were before us tonight, this legislation would actually reduce the deficit by \$5 billion because our priorities package would limit the jumbo-sized tax cuts for persons making over \$1 million a year to the same amount provided to other less fortunate Americans. It would redirect \$14 billion of the money saved to crucial additional investments and would use the other \$5 billion for deficit reduction. This bill would be at the same time more fiscally responsible and more humane than the bill brought before us tonight.

So Democrats have demonstrated what our priorities are. We have done everything we possibly can to improve the warped priorities of the majority budget, but the majority has rejected and defeated those efforts. At this point, we are at the end of the calendar, and we are out of options. We need to move on. At this point our choice is simply to continue to vote

“no” as a protest for the misshapen priorities in the bill or to grudgingly vote “yes” because this bill is \$4 billion closer to meeting our responsibilities than Congress would be if we turned this bill down and we had to live with a continuing resolution.

So, Mr. Speaker, I will reluctantly vote for this bill, but I will certainly not be leading the cheers because this body should have been able to do much better. I know the chairman of the committee and the various subcommittee chairmen have by and large done their best with what resources have been made available to them. That limitation has been imposed upon them by their own party leadership and by the White House. This bill could have been made much more humane and much more socially responsible by a relatively small adjustment.

\$14 billion more for our top domestic priorities as we have in the Democratic priority package is a lot of money, but it pales in comparison to the \$280 billion that this Congress passed out in tax cuts this year alone with so much of it aimed at high-end taxpayers. For only 5 percent of that amount that was provided in tax actions this year, so much of which has gone to the most privileged and well-off among us, we could have made responsible investments in the future and had bipartisan agreements in support of these bills long before the election.

One more point. In response to the majority leader's reshaping of history, to put it kindly, let me state what the facts are with respect to the national debt. The last President to balance a budget was Bill Clinton. The last President to balance a budget over his full term of office was President Truman. The last time I looked, they were both Democrats. The facts are also these: since 1946 at the end of World War II, under Democratic and Republican administrations alike and under a Democratic Congress for all of those years, from 1946 to 1979, the Nation's debt as a percentage of our total national income declined from 126 percent to 25 percent. In other words, we cut it by more than 75 percent. Then President Reagan came to power and he doubled that to 50 percent. Bill Clinton came to power and again brought that debt down.

In contrast to just a few years ago when Bill Clinton left office, in large part because of the actions of this Congress and this President, economists today are predicting deficits as far as the eye can see. That is why Democrats sought to improve investments in this bill, not in a free-lunch way, but by engaging on our own pay-as-you-go proposition in order to see to it that even as we increased crucial investments in the economy, we still were trying to keep some money available for deficit reduction. If the majority party were doing that, this bill would be a lot more palatable today.

Mr. Speaker, I will, as I said, reluctantly vote for this bill, but this bill is no great product. As the press finds out more and more about what the impact is on various programs, I think the Congress is going to wish that we spent considerably more time dealing with this in a rational manner.

Some examples of how the Omnibus would be different if Democratic priorities were being voted on today rather than the Republican majority's plan:

Issue



H. Res 685--Democratic priorities

FY 2005 Republican omnibus

Health care for veterans

+\$1.3 billion over the Republican budget resolution to fully fund veterans' medical care at levels advocated

-\$235.1 million below the House Republican budget resolution.

Investments in education

+\$5.7 billion over the President's request.

-\$779 million below the President's request.

Title I

+\$1.5 billion over the President's request to support reading and math instruction for 500,000 additional

-\$607 million below the President's request.

### Child Care and After-School Learning

+\$300 million over the President's request to double the number of children receiving quality after-school

\$25 million below the President's request and last year's level.

### Special Education

+\$1.2 billion over the President's request to meet the promise the House Republicans themselves made

-\$482 million below the President's request.

### Pell Grants

+\$2.2 billion over the President's request to increase the maximum Pell Grant by \$450 to \$4,500 for more

-\$468 million below the President's request, freezing the maximum Pell Grant at \$4,050.

### Public health

Infectious diseases and immunizations

+\$100 million over the President's request to protect the public against infectious diseases (like SARS, V

Provides only \$9 million over the President's request.

Health care and medical research

Core health ``safety net" programs

+\$400 million over the President's request for community health centers, rural health clinics, mental and

-\$32 million below the President's request, including -\$103 million for community health centers and -\$1

NIH research

+\$500 million over the President's request for health research in areas such as liver cancer, SARS, breas

\$170 less than the President's request.

National nursing shortfall

+\$35 million over the President's request for the ``Nurse Reinvestment Act" authorization.

Provides only \$4 million over the President's request.

Dental care

+\$50 million over the President's request for dental services in rural and other underserved areas.

No funding included.

Clean water standards and environmental protection

Land protection and preservation

+\$325 million over the President's request for conservation programs covered by the bipartisan commitment

-\$62 million below the President's request.

Water infrastructure

+\$500 million over the President's request for the Clean Water State Revolving Fund.

-\$259 million below the FY 2004 levels.

Basic services in rural communities

Community assistance for refugees

+\$50 million over the President's request for States and local communities to offset the cost of the dram

Provides only \$11 million over the President's request.

The best that can be said about this bill is that if it passes, it will provide \$4 billion more than a Continuing Resolution.